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April 12, 2024

VIA ECF

Hon. Jennifer L. Rochon, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street, Room 1920
New York, New York 10007

Re: Abigail Doolittle v. Bloomberg L.P., et al., Civil. Action No. 22-cv-09136 (JLR)

Dear Judge Rochon,

Pursuant to Rule 4Bi of Your Honor's Individual Practices, Standing Order 19-MC-00583, and Section 6 of the Southern District of New York Electronic Case Filing Rules & Instructions, we write on behalf of Defendant Mark Crumpton to seek leave to file under seal unredacted versions of the Memorandum of Law filed in support of Mr. Crumpton's motion for protective order (ECF No. 64-1) Declaration of Dr. Mamatha Gadarla (ECF No. 64-2), Declaration of Dr. Edward Vecchione (ECF No. 64-3), Declaration of Steve Crumpton (ECF No. 64-4), Declaration of Anna Aguilar (ECF No. 64-5), all of which were filed today in redacted form. Each of these documents contains sensitive medical information, as set forth in the SDNY ECF Privacy Policy, regarding Mr. Crumpton.

While Rule 4Bi of Your Honor's Individual Practices suggests that Court approval is not required to seal or redact such sensitive medical information, the e-filing system appears to require a letter motion seeking approval to submit a sealed filing. As such, Mr. Crumpton respectfully requests that the Court grant him leave to file the aforementioned papers under seal.

The request is GRANTED. Although the common law right of public access to judicial documents "is firmly rooted in our nation's history," this right is not absolute and courts "must balance competing considerations against" the presumption of access. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (3d Cir. 2006) (quotation marks and citation omitted); see *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 599 (1978) ("[T]he decision as to access is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case."). There is a strong privacy interest in the confidentiality of medical records. See *Parker v. Brann*, No. 12-cv-09408 (LJL) (SDA), 2022 WL 18402115, at *8 (S.D.N.Y. Dec. 17, 2022). Accordingly, it is appropriate here that unredacted versions of the memorandum at law and accompanying exhibits be filed under seal.

Sincerely,

Anna Aguilar

Anna Aguilar

The Clerk of Court is respectfully directed to close the motion at ECF No. 65 and to maintain ECF Nos. 66-70 under seal.

SO ORDERED.

Dated: April 22, 2024
New York, New York

JENNIFER L. ROCHON
United States District Judge